

August 4, 2021

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on August 4, 2021, 10:09 a.m. Present were Commissioners Fedorchak, Christmann and Kroshus.

Minutes

Ms. Fedorchak: I move the minutes of July 14, 22, and 28, 2021, be approved.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Blaster Re-Certification  
Approval

Ms. Fedorchak: I move the Commission approve blaster re-certification for the following applicants:

<b>Applicant</b>	<b>Affiliation</b>	<b>Certificate No.</b>
Douglas Schell	Freedom Mine	06-08-285-R(5)
Randy Geigle	Freedom Mine	09-08-318-R(4)

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-135  
Public Service Commission  
Montana-Dakota Utilities Co.  
Damage Prevention Enforcement

Ms. Fedorchak: I move the Commission close Public Service Commission, Montana-Dakota Utilities Co., Damage Prevention Enforcement, Case No. PU-21-135.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-151  
Montana-Dakota Utilities Co.  
230 kV Transmission Line - Morton  
County  
Siting Application

Ms. Fedorchak: I move the Commission deem complete the final combined application for a corridor certificate and a route permit filed on July 26, 2021, and issue a Notice of Filing and Notice of Hearing in Montana-Dakota Utilities Co., 230 kV Transmission Line - Morton County, Siting Application, Case No. PU-21-151.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-20-194  
Keith and Deanna Kessler  
v. Minnesota Power, a division of  
ALLETE, Inc.  
Complaint

Ms. Fedorchak: I move the Commission adopt the Order Findings of Facts, Conclusions of Law and Order in Keith and Deanna Kessler, v. Minnesota Power, a division of ALLETE, Inc., Complaint, Case No. 20-194.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-89  
Northern States Power Company  
Customer Credit – DOE Settlement  
2019  
Application

Mr. Kroshus: I move the Commission adopt the Order in Northern States Power Company, Customer Credit – DOE Settlement 2019, Application, Case No. PU-21-89.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-335  
Montana-Dakota Utilities Co.  
Transmission Facility Cost Recovery  
Rates

Mr. Kroshus: I move the Commission suspend the rate and issue a Notice of Opportunity for Hearing in Montana-Dakota Utilities Co., Transmission Facility Cost Recovery, Rates, Case No. PU-21-335.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-336  
Northern States Power Company  
2020 Power Purchase Agreement  
Costs  
Compliance

Mr. Kroshus: I move the Commission reduce the filing fee to \$10,000 and issue a Notice of Opportunity for Hearing in Northern States Power Company, 2020 Power Purchase Agreement Costs, Compliance, Case No. PU-21-336.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-20-359  
Public Service Commission  
Ramos Plumbing Inc.  
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission adopt the Order on Consent Agreement in Public Service Commission, Ramos Plumbing Inc., Damage Prevention Enforcement, Case No. PU-20-359.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-20-363  
Public Service Commission  
Northwest Excavating, LLC  
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission adopt the Order on Consent Agreement in Public Service Commission, Northwest Excavating, LLC, Damage Prevention Enforcement, Case No. PU-20-363.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-20-377  
Public Service Commission  
Central Trenching Inc  
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission adopt the Order on Consent Agreement in Public Service Commission, Central Trenching Inc, Damage Prevention Enforcement, Case No. PU-20-377 and in Public Service Commission, Central Trenching Inc, Damage Prevention Enforcement, Case No. PU-20-424.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-20-424  
Public Service Commission  
Central Trenching Inc  
Damage Prevention Enforcement

Case No. PU-20-386  
Public Service Commission  
CenturyLink Communications, LLC  
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission adopt the Order on Consent Agreement in Public Service Commission, CenturyLink Communications, LLC, Damage Prevention Enforcement, Case No. PU-20-386.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-20-457  
Public Service Commission  
Xcel Energy Inc.  
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission adopt the Order on Consent Agreement in Public Service Commission, Xcel Energy Inc., Damage Prevention Enforcement, Case No. PU-20-457.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-18-431  
Dakota Westmoreland Corporation  
Revision 32 to Permit KRSB-8603  
Application

Mr. Christmann: I move the Commission conditionally approve Revision No. 32 to Surface Coal Mining Permit No. KRSB-8603, held by the Dakota Westmoreland Corporation. Revision 32 updates the permit in response to a midterm review and a pre-renewal review simultaneous with Revision No. 33. Revision No. 32 modifies the post-mining topography, revises the reclamation schedule, updates surface water management plans, updates the worst-case bond estimate, and updates other information including mining and reclamation plans, in Dakota Westmoreland Corporation, Revision No. 32 to Permit KRSB-8603, Application, PSC Case No. RC-18-431.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-21-94  
Dakota Westmoreland Corporation  
Revision 33, Permit KRSB-8603  
Application

Mr. Christmann: I move the Commission approve Revision No. 33 to Surface Coal Mining Permit No. KRSB-8603, held by the Dakota Westmoreland Corporation, to identify the next five-year coal removal subareas and to update other information and mining and reclamation plans for the next five-year permit term, in Dakota Westmoreland Corporation, Revision 33, Permit KRSB-8603, Application, PSC Case No. RC-21-94.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-21-95  
Dakota Westmoreland Corporation  
Renewal 7 Permit KRSB-8603  
Application

Mr. Christmann: I move the Commission approve Renewal No. 7 to Surface Coal Mining Permit No. KRSB-8603, held by the Dakota Westmoreland Corporation, to extend the permit term on the existing permit area for another five years, until August 7, 2026, in Dakota Westmoreland Corporation, Renewal No. 7 Permit KRSB-8603, Application, PSC Case No. RC-21-95.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-20-154  
Westmoreland Beulah Mining LLC  
Permit Transfer, Permit KRSB-8603  
Application

Mr. Christmann: I move the Commission conditionally approve the transfer of Surface Coal Mining Permit No. KRSB-8603 for the Beulah Mine from Dakota Westmoreland Corporation to Westmoreland Beulah Mining LLC in Westmoreland Beulah Mining LLC, Permit Transfer, Permit KRSB-8603, Application, PSC Case No. RC-20-154.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-21-110  
Coteau Properties Company  
Revision 34, Permit NACT-8503  
Application

Mr. Christmann: I move the Commission approve Revision No. 34 to Surface Coal Mining Permit No. NACT-8503, held by the Coteau Properties Company, to delete all 1,831.9715 acres from this permit and transfer all reclamation liabilities on this acreage to Permit No. NACT-1801 for the Freedom Mine.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-20-442  
Public Service Commission  
vs. Qwest Corporation  
Show Cause

Mr. Christmann: I move that the Commission adopt the Findings of Facts, Conclusion of Law and Order in Public Service Commission vs. Qwest Corporation, Order to Show Cause, Case No. PU-20-442.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-142  
Public Service Commission  
Montana-Dakota Utilities Co.  
Damage Prevention Enforcement

Ms. Fedorchak: I move the Commission appoint Brian Johnson and Victor Schock as advocacy staff effective July 14, 2021, in Public Service Commission, Montana-Dakota Utilities Co., Damage Prevention Enforcement, Case No. PU-21-142.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-20-362  
Public Service Commission  
North Country Contracting, LLC  
Damage Prevention Enforcement

Ms. Fedorchak: I move the Commission appoint Brian Johnson and Adam Renfandt as advocacy staff effective June 22, 2021, in Public Service Commission, North Country Contracting, LLC, Damage Prevention Enforcement, Case No. PU-20-362.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 12:25 P.M.

  
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Executive Secretary

  
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JULIE FEDORCHAK, CHAIR